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7 **UNITED STATES DISTRICT COURT**
8 **SOUTHERN DISTRICT OF CALIFORNIA**
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10 DOWNEY et al.,

11 Plaintiffs,

12 vs.

13 SEARS ROEBUCK AND CO et al.,

14 Defendants.
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Case No. 15cv1904-MMA DHB

**ORDER GRANTING JOINT MOTION
TO DISMISS WITHOUT PREJUDICE**

[Doc. No. 10]

16 The Court, having considered the joint motion and stipulation of the parties, and
17 good cause appearing, orders as follows:

- 18 1. This action is dismissed without prejudice pursuant to Rule 41(a) of the Federal
19 Rules of Civil Procedure.
20 2. Each party shall bear their own costs and attorney's fees.

21 **IT IS SO ORDERED.**
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23 Dated: September 15, 2015

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25 Hon. Michael M. Anello
26 United States District Judge
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